

MESSAGE NO: 3152111

MESSAGE DATE: 06/04/1993

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-580-812

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 05/10/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF
DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS (DRAMS) OF ONE MEGABIT
AND ABOVE FROM THE REPUBLIC OF KOREA

MESSAGE NO: 3152111

DATE: 06 04 1993

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 580 - 812

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PERIOD COVERED: 05 10 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION
OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS (DRAMS) OF
ONE MEGABIT AND ABOVE FROM THE REPUBLIC OF KOREA

CORRECTION AND CLARIFICATION:

THIS E-MAIL CORRECTS, CLARIFIES, AND SUPERSEDES THE DEPARTMENT OF
COMMERCE E-MAIL DIRECTIVE OF MAY 24, 1993. IN ITEM 9 OF THE MAY
24, 1993, E-MAIL, THE DEPARTMENT MISTAKENLY ADVISED CUSTOMS
OFFICERS ON SITUATIONS REQUIRING CASH DEPOSITS OF ESTIMATED
DUTIES FOR DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE

MEGABIT AND ABOVE, MODULES, AND MEMORY BOARDS BASED ON PER

MEGABIT AMOUNTS. THIS E-MAIL CORRECTLY ADVISES CUSTOMS OFFICERS WHEN TO COLLECT CASH DEPOSITS BASED ON PER MEGABIT AMOUNTS. THE E-MAIL ALSO CLARIFIES OTHER PARTS OF THE MAY 24, 1993, ISSUANCE.

1. BACKGROUND:

THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON MAY 10, 1993, THE NOTICE OF ITS ANTIDUMPING ORDER AND AMENDED FINAL DETERMINATION THAT DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE MEGABIT AND ABOVE FROM THE REPUBLIC OF KOREA ARE BEING, OR ARE LIKELY TO BE, SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

2. PRODUCT DESCRIPTION:

THE PRODUCTS COVERED BY THIS INVESTIGATION ARE DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE MEGABIT AND ABOVE (DRAMS) FROM THE REPUBLIC OF KOREA. FOR PURPOSES OF THIS INVESTIGATION, DRAMS ARE ALL ONE MEGABIT AND ABOVE DYNAMIC RANDOM ACCESS MEMORY

SEMICONDUCTORS, WHETHER ASSEMBLED OR UNASSEMBLED. ASSEMBLED DRAMS INCLUDE ALL PACKAGE TYPES. UNASSEMBLED DRAMS INCLUDE PROCESSED WAFERS, UNCUT DIE AND CUT DIE. PROCESSED WAFERS PRODUCED IN KOREA BUT PACKAGED, OR ASSEMBLED INTO MEMORY MODULES,

IN A THIRD COUNTRY ARE INCLUDED IN THE SCOPE; HOWEVER, WAFERS PRODUCED IN A THIRD COUNTRY AND ASSEMBLED OR PACKAGED IN KOREA ARE NOT INCLUDED IN THE SCOPE.

THE SCOPE OF THIS INVESTIGATION INCLUDES MEMORY MODULES. A MEMORY MODULE IS A COLLECTION OF DRAMS, THE SOLE FUNCTION OF WHICH IS MEMORY. MODULES INCLUDE SINGLE IN-LINE PROCESSING MODULES (SIPS), SINGLE IN-LINE MEMORY MODULES (SIMMS), OR OTHER COLLECTIONS OF DRAMS WHETHER UNMOUNTED OR MOUNTED ON A CIRCUIT

BOARD. MODULES THAT CONTAIN OTHER PARTS THAT ARE NEEDED TO SUPPORT THE FUNCTION OF MEMORY ARE COVERED. THOSE MODULES WHICH

CONTAIN ADDITIONAL ITEMS WHICH ALTER THE FUNCTION OF THE MODULE TO SOMETHING OTHER THAN MEMORY, SUCH AS VIDEO GRAPHICS ADAPTER

(VGA) BOARDS AND CARDS, ARE NOT INCLUDED IN THE SCOPE. THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES VIDEO RANDOM ACCESS MEMORY (VRAMS), AS WELL AS ANY FUTURE PACKAGING AND ASSEMBLING OF DRAMS. THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE DRAMS OR MEMORY MODULES THAT ARE REIMPORTED FOR REPAIR OR REPLACEMENT.

3. HTSUS CLASSIFICATION:

THE DRAMS, MEMORY MODULES, AND MEMORY BOARDS SUBJECT TO THIS INVESTIGATION ARE CLASSIFIABLE UNDER SUBHEADINGS

8473.30.4000, 8542.11.0001, 8542.11.0024, 8542.11.0026 AND

8542.11.0034 OF THE HTSUS. ALSO INCLUDED IN THE SCOPE ARE THOSE REMOVABLE KOREAN DRAMS CONTAINED ON OR WITHIN MOTHERBOARDS CLASSIFIABLE UNDER SUBHEADINGS 8471.91.0090 AND 8473.30.4000 OF THE HTSUS. A REMOVABLE DRAM IS "NOT PHYSICALLY INTERGRATED WITH THE OTHER COMPONENTS" OF A MOTHERBOARD (58 FR 15467, MARCH 23, 1993, AND MARCH 15, 1993 MEMORANDUM FROM ACTING DEPUTY ASSISTANT SECRETARY MORELAND TO ACTING ASSISTANT SECRETARY SPETRINI).

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

4. DIRECT SHIPMENTS FROM KOREA AND MERE TRANSSHIPMENTS THROUGH THIRD COUNTRIES:

FOR DIRECT SHIPMENTS AND MERE TRANSSHIPMENTS THROUGH THIRD COUNTRIES OF KOREAN DRAMS, MEMORY MODULES AND MEMORY BOARDS, PRODUCED BY A SINGLE MANUFACTURER, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER OCTOBER 29, 1992, AND SHALL REQUIRE A CASH DEPOSIT ON ENTRIES FILED ON OR AFTER MAY 10, 1993. THE CUSTOMS SERVICE SHALL REQUIRE THIS DEPOSIT USING THE ESTIMATED FINAL MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/PRODUCER/ EXPORTER	IDENTIFICATION NUMBER	WEIGHTED-AVERAGE MARGIN PERCENTAGE (AD VALOREM)
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GOLDSTAR ELECTRON CO., LTD.

GOLDSTAR ELECTRON AMERICA A-580-812-001 4.97

HYUNDAI ELECTRONICS CO., LTD.

HYUNDAI ELECTRONICS AMERICA A-580-812-002 11.16

SAMSUNG ELECTRONICS CO., LTD.

SAMSUNG SEMICONDUCTOR, INC. A-580-812-003 0.82

ALL OTHERS A-580-812-000 3.85

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES KOREAN REMOVABLE
MEMORY MODULES PLACED ON MOTHERBOARDS FROM KOREA, WITH OR
WITHOUT

A CPU, (HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS)
SUBHEADINGS 8471.91.0090 AND 8473.30.4000, RESPECTIVELY). FOR
DIRECT IMPORTS AND MERE TRANSSHIPMENTS THROUGH THIRD COUNTRIES OF

KOREAN REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS, WITH OR

WITHOUT A CPU, THE IMPORTER OF MOTHERBOARDS MAY CERTIFY WITH THE
CUSTOMS SERVICE THAT NEITHER IT, NOR A PARTY RELATED TO IT, WILL
REMOVE THE MODULES FROM THE MOTHERBOARDS AFTER IMPORTATION. IN
THAT CASE NO SUSPENSION OF LIQUIDATION IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF
THE COMPANY IMPORTING THE MOTHERBOARDS MUST CERTIFY THE
FOLLOWING:

THIS SHIPMENT INCLUDES REMOVABLE MEMORY MODULES CONTAINING
KOREAN DRAMS AND PLACED ON MOTHERBOARDS. I, HEREBY, CERTIFY THAT
I AM AN OFFICIAL OF (THE COMPANY IMPORTING THE MOTHERBOARDS) AND
THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF
THESE MOTHERBOARDS. I FURTHER CERTIFY THAT, TO THE BEST OF MY
KNOWLEDGE AND BELIEF, AFTER IMPORTATION OF THESE MOTHERBOARDS
INTO THE UNITED STATES, KOREAN DRAMS CONTAINED ON OR WITHIN THESE
MOTHERBOARDS WILL NOT BE REMOVED BY EITHER (THE COMPANY IMPORTING

THE MOTHERBOARDS), OR ANY PARTY RELATED TO IT, FOR SALE OR

EQUIVALENT COMMERCIAL TRANSACTION SEPARATE FROM THE MOTHERBOARDS.

I FURTHER CERTIFY THAT THE COMPANY HAS NOT CONTRACTED WITH ANY PARTY TO REMOVE KOREAN DRAMS FOR SALE OR EQUIVALENT COMMERCIAL TRANSACTION SEPARATE FROM THE MOTHERBOARDS.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE MOTHERBOARDS MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT DEPOSIT ON THE AMOUNT OF KOREAN MEGABITS WITHIN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD

AS DESCRIBED IN ITEM 10 BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO IDENTIFY THE AMOUNT AND MANUFACTURER OF KOREAN MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD. IF THE IMPORTER DOES NOT IDENTIFY THE MANUFACTURER OF THE MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULE, BUT CAN IDENTIFY THE TOTAL AMOUNT OF MEGABITS WITHIN THE REMOVABLE MEMORY MODULE IN THE MOTHERBOARD, THE HIGHEST PER MEGABIT DEPOSIT CALCULATED FOR ANY COMPANY LISTED IN ITEM 10 BELOW WILL BE APPLIED TO ALL THE MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN REMOVABLE MEMORY MODULES IN THE

MOTHERBOARD, THE COMPANY-SPECIFIC MARGIN PERCENTAGE LISTED ABOVE

WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE MOTHERBOARD.

WHERE DIRECT IMPORTS OF MEMORY MODULES, MEMORY BOARDS, OR REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS CONTAIN DRAMS

FROM TWO OR MORE MANUFACTURERS, IMPORTER/FILERS SHOULD CONTACT

THE DEPARTMENT OF COMMERCE FOR CASH DEPOSIT INSTRUCTIONS (SEE ITEM 11 BELOW FOR DEPARTMENT OF COMMERCE TELEPHONE NUMBER).

IMPORTERS/FILERS SHOULD HAVE THE FOLLOWING INFORMATION

AVAILABLE WHEN CONTACTING THE DEPARTMENT OF COMMERCE:

MANUFACTURERS' NAMES, IMPORTER'S NAME, HTSUS SUBHEADING, PRODUCT DESCRIPTION, ENTERED VALUE, TOTAL AMOUNT OF MEGABITS FOR EACH MANUFACTURER, WHETHER ALL DRAMS ARE KOREAN AND THE DATE OF ENTRY.

IT IS RECOMMENDED THAT IMPORTERS/FILERS NOTE ON THE ENTRY SUMMARY, THE NAME OF THE PERSON AT THE DEPARTMENT OF COMMERCE THAT PROVIDED THE CASH DEPOSIT INSTRUCTIONS.

5. INDIRECT SHIPMENT OF DRAMS:

IN ADDITION TO THE DIRECT SHIPMENT OF DRAMS FROM KOREA, THE SCOPE OF THIS INVESTIGATION INCLUDES DRAMS PACKAGED AND ASSEMBLED IN ALL COUNTRIES WHICH CONTAIN WAFERS, UNCUT DIE AND CUT DIE FROM KOREA. FOR A LIST OF POSSIBLE THIRD COUNTRIES, REFER TO ITEM 9, WHICH IS FOR CUSTOMS PURPOSES AND IS NOT EXHAUSTIVE. FOR THESE INDIRECT SHIPMENTS, THE IMPORTER OF THE DRAMS MAY CERTIFY WITH THE CUSTOMS SERVICE THAT THE DRAMS DO NOT CONTAIN ANY KOREAN WAFERS, UNCUT DIE OR CUT DIE, IN WHICH CASE NO SUSPENSION OF LIQUIDATION IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE DRAMS MUST CERTIFY THE FOLLOWING:

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING DRAMS), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF THESE DRAMS, AND THAT THESE DRAMS DO NOT CONTAIN WAFERS, UNCUT DIE OR CUT DIE FROM KOREA.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE DRAMS MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT DEPOSIT AS DESCRIBED IN ITEM 10 BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO SUBMIT A LIST IDENTIFYING: 1) THE AMOUNT OF KOREAN MEGABITS; 2) THE NAMES OF THE VARIOUS KOREAN DRAM MANUFACTURERS WHICH PRODUCED THE MEGABITS; AND 3) THE AMOUNT OF KOREAN MEGABITS PRODUCED BY EACH OF THESE KOREAN DRAM MANUFACTURERS.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS PRODUCED BY THE VARIOUS KOREAN DRAM MANUFACTURERS, THE

HIGHEST PERCENTAGE MARGIN DEPOSIT CALCULATED FOR ANY COMPANY LISTED IN ITEM 4 ABOVE WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE PRODUCT.

6. INDIRECT SHIPMENTS OF MEMORY MODULES:

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES MEMORY MODULES FROM ALL COUNTRIES WHICH CONTAIN KOREAN DRAMS, UNLESS THE IMPORTER OF THE MEMORY MODULES CERTIFIES WITH THE CUSTOMS SERVICE THAT THE MEMORY MODULES DO NOT CONTAIN ANY KOREAN DRAMS. FOR A LIST OF POSSIBLE THIRD COUNTRIES, REFER TO ITEM 9, WHICH IS FOR CUSTOMS PURPOSES AND IS NOT EXHAUSTIVE. AS WITH DRAMS, FOR THESE INDIRECT SHIPMENTS, AN IMPORTER MAY CERTIFY THAT THE IMPORTED MODULE CONTAINS NO DRAMS OF KOREAN ORIGIN. IN THAT CASE, NO SUSPENSION OF LIQUIDATION IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MEMORY MODULES MUST CERTIFY THE FOLLOWING:

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MEMORY MODULES), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF THESE MEMORY MODULES, AND THAT THESE

MEMORY MODULES DO NOT CONTAIN KOREAN DRAMS OR DRAMS MADE IN A COUNTRY OTHER THAN KOREA BUT CONTAINING PROCESSED WAFERS, UN CUT

DIE OR CUT DIE OF KOREAN ORIGIN.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE MEMORY MODULES MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT DEPOSIT ON THE AMOUNT OF KOREAN MEGABITS WITHIN A MODULE AS DESCRIBED IN ITEM 10 BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO SUBMIT A LIST IDENTIFYING: 1) THE AMOUNT OF KOREAN MEGABITS CONTAINED IN THE MODULE; 2) THE NAMES OF THE VARIOUS KOREAN DRAM MANUFACTURERS WHICH PRODUCED THE MEGABITS CONTAINED IN THE MODULE; AND 3) THE

AMOUNT OF KOREAN MEGABITS CONTAINED IN THE MODULE WHICH WERE PRODUCED BY EACH OF THESE KOREAN DRAM MANUFACTURERS.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS PRODUCED BY THE VARIOUS KOREAN DRAM MANUFACTURERS WITHIN

THE MODULE, BUT CAN IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE MODULE, THE HIGHEST PER MEGABIT DEPOSIT CALCULATED FOR ANY COMPANY LISTED IN ITEM 10 BELOW WILL BE APPLIED TO ALL KOREAN MEGABITS CONTAINED IN THE MODULE. IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE MODULE, INCLUDING MODULES CONTAINING MEGABITS WITH MIXED COUNTRIES OF ORIGIN, THE HIGHEST PERCENTAGE MARGIN CALCULATED FOR ANY KOREAN DRAM MANUFACTURER LISTED IN ITEM 4 ABOVE WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE MODULE.

7. INDIRECT SHIPMENTS OF MEMORY BOARDS:

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES MEMORY BOARDS FROM ALL COUNTRIES WHICH CONTAIN KOREAN DRAMS. FOR A LIST OF POSSIBLE THIRD COUNTRIES, REFER TO ITEM 9, WHICH IS FOR CUSTOMS PURPOSES AND IS NOT EXHAUSTIVE. FOR THESE INDIRECT SHIPMENTS, THE IMPORTER OF THE MEMORY BOARDS MAY CERTIFY WITH THE CUSTOMS SERVICE THAT THE MEMORY BOARDS DO NOT CONTAIN ANY KOREAN DRAMS, IN WHICH CASE NO SUSPENSION OF LIQUIDATION IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MEMORY BOARDS MUST CERTIFY THE FOLLOWING:

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MEMORY BOARDS), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF THESE MEMORY BOARDS, AND THAT THESE MEMORY BOARDS DO NOT CONTAIN KOREAN DRAMS OR DRAMS MADE IN A COUNTRY OTHER THAN KOREA BUT CONTAINING PROCESSED WAFERS, UNCUT DIE OR CUT DIE OF KOREAN ORIGIN.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO

MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE MEMORY BOARDS MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT DEPOSIT ON THE AMOUNT OF KOREAN MEGABITS WITHIN THE MEMORY BOARD AS DESCRIBED IN ITEM 10 BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO SUBMIT A LIST IDENTIFYING: 1) THE AMOUNT OF KOREAN MEGABITS CONTAINED IN THE MEMORY BOARD; 2) THE NAMES OF THE VARIOUS KOREAN DRAM MANUFACTURERS WHICH PRODUCED THE MEBABITS CONTAINED IN THE MEMORY BOARD; AND 3) THE AMOUNT OF KOREAN MEBABITS CONTAINED IN THE MEMORY BOARD WHICH WERE PRODUCED BY EACH OF THESE KOREAN DRAM MANUFACTURERS.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS PRODUCED BY THE VARIOUS KOREAN DRAM MANUFACTURERS WITHIN THE MEMORY BOARD, BUT CAN IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE MEMORY BOARD, THE HIGHEST PER MEBABIT DEPOSIT CALCULATED FOR ANY COMPANY LISTED IN ITEM 10 BELOW WILL BE APPLIED TO ALL KOREAN MEGABITS CONTAINED IN THE MEMORY BOARD. IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE MEMORY BOARD, INCLUDING MODULES CONTAINING MEGABITS WITH MIXED COUNTRIES OF ORIGIN, THE HIGHEST PERCENTAGE MARGIN CALCULATED FOR ANY KOREAN DRAM MANUFACTURER LISTED IN ITEM 4 ABOVE WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE MEMORY BOARD.

8. INDIRECT SHIPMENTS OF REMOVABLE MEMORY MODULES IN MOTHERBOARDS:

IN ADDITION TO THE DIRECT SHIPMENT OF REMOVABLE MEMORY MODULES FROM KOREA PLACED ON MOTHERBOARDS, THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES KOREAN REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS FROM ALL COUNTRIES, WITH OR WITHOUT A CPU, (HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 8471.91.0090 AND 8473.30.4000, RESPECTIVELY). FOR A LIST OF POSSIBLE THIRD COUNTRIES, REFER TO ITEM 9, WHICH IS FOR CUSTOMS PURPOSES AND IS NOT EXHAUSTIVE. FOR THESE INDIRECT

SHIPMENTS, THE IMPORTER OF MOTHERBOARDS MAY CERTIFY WITH THE CUSTOMS SERVICE THAT NEITHER IT, NOR A PARTY RELATED TO IT OR UNDER CONTRACT TO IT, WILL REMOVE THE MODULES FROM THE MOTHERBOARDS AFTER IMPORTATION. IN THAT CASE, NO SUSPENSION OF LIQUIDATION IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MOTHERBOARDS MUST CERTIFY THE FOLLOWING:

THIS SHIPMENT INCLUDES REMOVABLE MEMORY MODULES CONTAINING KOREAN DRAMS AND PLACED ON MOTHERBOARDS. I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (THE COMPANY IMPORTING THE MOTHERBOARDS) AND THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF THESE MOTHERBOARDS. I FURTHER CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AFTER IMPORTATION OF THESE MOTHERBOARDS INTO THE UNITED STATES, KOREAN DRAMS CONTAINED ON OR WITHIN THESE MOTHERBOARDS WILL NOT BE REMOVED BY EITHER (THE COMPANY IMPORTING

THE MOTHERBOARDS), OR ANY PARTY RELATED TO IT, FOR SALE OR EQUIVALENT COMMERCIAL TRANSACTION SEPARATE FROM THE MOTHERBOARDS.

I FURTHER CERTIFY THAT THE COMPANY HAS NOT CONTRACTED WITH ANY PARTY TO REMOVE KOREAN DRAMS FOR SALE OR EQUIVALENT COMMERCIAL TRANSACTION SEPARATE FROM THE MOTHERBOARDS.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE MOTHERBOARDS MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT DEPOSIT ON THE AMOUNT OF KOREAN MEGABITS WITHIN REMOVABLE MEMORY MODULES IN THE MOTHERBOARD AS DESCRIBED IN ITEM 10 BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO SUBMIT A LIST IDENTIFYING: 1) THE AMOUNT OF KOREAN MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD; 2) THE NAMES OF THE VARIOUS KOREAN DRAM MANUFACTURERS WHICH PRODUCED THE MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD; AND 3) THE AMOUNT OF

KOREAN MEGABITS CONTAINED IN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD WHICH WERE PRODUCED BY EACH OF THESE KOREAN DRAM MANUFACTURERS.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS CONTAINED IN REMOVABLE MEMORY MODULES PRODUCED BY THE VARIOUS KOREAN DRAM MANUFACTURERS WITHIN THE MOTHERBOARD, BUT CAN IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD, THE HIGHEST PER MEGABIT DEPOSIT CALCULATED FOR ANY COMPANY LISTED IN ITEM 10 BELOW WILL BE APPLIED TO ALL KOREAN MEGABITS CONTAINED IN REMOVABLE MEMORY MODULES IN THE MOTHERBOARD. IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE TOTAL AMOUNT OF KOREAN MEGABITS WITHIN THE REMOVABLE MEMORY MODULES IN THE MOTHERBOARD, INCLUDING MODULES CONTAINING MEGABITS WITH MIXED COUNTRIES OF ORIGIN, THE HIGHEST PERCENTAGE MARGIN CALCULATED FOR ANY KOREAN DRAM MANUFACTURER LISTED IN ITEM 4 ABOVE WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE MOTHERBOARD.

9. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: A-580-812. FOR CUSTOMS PURPOSES, FOR ALL PRODUCTS CONTAINING KOREAN DRAMS FROM THIRD COUNTRIES, THE FOLLOWING COUNTRIES HAVE BEEN ASSIGNED THEIR OWN CASE NUMBER. THE FIRST THREE DIGITS REPRESENT THE COUNTRY IN QUESTION, THE NEXT THREE DIGITS WILL BE 212, AND THE LAST THREE DIGITS WILL BE THE SAME AS IN THE COMMERCE CASE FOR EACH RESPECTIVE MANUFACTURER. THE FIRST SIX DIGITS ARE GIVEN BELOW:

ARGENTINA	A-357-212
AUSTRALIA	A-602-212
AUSTRIA	A-433-212
BRAZIL	A-351-212
CANADA	A-122-212
CHINA, P.R.C.	A-570-212

CHINA, TAIWAN A-583-212

FRANCE A-427-212

GERMANY A-428-212

HONG KONG A-582-212

IRELAND A-419-212

INDIA A-533-212

ISRAEL A-508-212

ITALY A-475-212

JAPAN A-588-212

MALAYSIA A-557-212

MEXICO A-201-212

NETHERLANDS A-421-212

PHILIPPINES A-565-212

SINGAPORE A-559-212

SWEDEN A-401-212

SWITZERLAND A-441-212

THAILAND A-549-212

UNITED KINGDOM A-412-212

ALL OTHERS IF AN IMPORT SPECIALIST SHOULD

BECOME AWARE OF SHIPMENTS WITHIN THE

SCOPE OF THE ANTIDUMPING

INVESTIGATION FROM THIRD COUNTRIES

NOT IN THE AD/CVD MODULE, THEY

SHOULD CONTACT CUSTOMS HEADQUARTERS
IMMEDIATELY. CUSTOMS HEADQUARTERS

SHOULD NOTIFY THE DEPARTMENT OF

COMMERCE ABOUT SUCH IMPORTS. SEE

ITEM 11.

THIS LIST IS FOR CONVENIENCE AND CUSTOMS PURPOSES AND MAY BE AMENDED DEPENDING ON CHANGES IN PATTERNS OF TRADE. THIS LIST IS 10. FOR PURPOSES OF CASH DEPOSITS BASED ON PER MEGABIT AMOUNTS UNDER ITEMS 4, 5, 6, 7, AND 8 ABOVE, THE PER MEGABIT DEPOSIT RATES TO BE APPLIED TO THE AMOUNT OF MEGABITS CONTAINED IN CHIPS, MODULES, MEMORY BOARDS AND MOTHERBOARD ARE AS FOLLOWS:

MANUFACTURER/PRODUCER/ EXPORTER	IDENTIFICATION NUMBER	PER MEGABIT AMOUNT IN U.S. DOLLARS
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GOLDSTAR ELECTRON CO., LTD.

GOLDSTAR ELECTRON AMERICA	A-580-812-001	\$0.17
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HYUNDAI ELECTRONICS CO., LTD.

HYUNDAI ELECTRONICS AMERICA	A-580-812-002	\$0.31
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SAMSUNG ELECTRONICS CO., LTD.

SAMSUNG SEMICONDUCTOR, INC.	A-580-812-003	\$0.03
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ALL OTHERS	A-580-812-000	\$0.12
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NOTE AGAIN THAT THIS IS FOR CASH DEPOSIT PURPOSES ONLY, AND THAT FINAL ASSESSMENT MAY BE VALUE-BASED. PLEASE REMIND IMPORTERS OF THIS PERIODICALLY.

11. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS VIA E-MAIL ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT JOHN BECK, OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-3464.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party